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**MAR 29 2006**

**OFFICE OF PETITIONS**

In re Application of :  
Robert M. Honeycutt et al :  
Application No. 09/122,274 :  
Filed: July 24, 1998 :  
Attorney Docket No. 29250-002007/US :

**ON PETITION**

This is a decision on the petition under 37 CFR 1.181, filed July 14, 2005, to withdraw of the holding of abandonment in the above-identified application.

The petition to withdraw the holding of abandonment is **GRANTED**.

The above-identified application was held abandoned for failure to reply in a timely manner to the non-final Office action mailed November 6, 2000, which set a shortened statutory period for reply of three (3) months. Therefore, a reply was due on or before February 6, 2001.

The instant petition asserts that a reply was submitted by the prior representative via facsimile on December 18, 2000. In support, the petition is accompanied by a copy of the purportedly transmitted amendment.


In view of above, the amendment should have been considered timely filed on December 18, 2000, and the application should not have been held abandoned.

The holding of abandonment in this application is hereby withdrawn, and the June 8, 2001 Notice of Abandonment vacated. The petition is thus granted.

The \$130.00 petition fee submitted is unnecessary and will be credited to petitioner's deposit account in due course.

This matter is being referred to Technology Center AU 2817.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (571) 272-3220.

  
Frances Hicks  
Lead Petitions Examiner  
Office of Petitions